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05 UNITED STATES DISTRICT COURT
06 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

07 UNITED STATES OF AMERICA,)
08 Plaintiff,) Case No. CR03-217-TSZ
09 v.) SUMMARY REPORT OF U.S.
10 TERRY B. BIGLER,) MAGISTRATE JUDGE AS TO
11 Defendant.) ALLEGED VIOLATIONS
OF SUPERVISED RELEASE
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13 An initial hearing on a petition for violation of supervised release was held before the
14 undersigned Magistrate Judge on February 4, 2009. The United States was represented by
15 Assistant United States Attorney Annette Hayes, and the defendant by Carol A. Koller. The
16 proceedings were digitally recorded.

17 The defendant had been charged and convicted of Possession of Visual Depictions of
18 Minors Engaged in Sexually Explicit Conduct, in violation of 18 U.S.C. §§ 2252(a)(4)(b) and
19 (b)(2) and 2256. On or about January 16, 2004, defendant was sentenced in the Honorable
20 Thomas S. Zilly to a term of twenty-seven (27) months in custody, to be followed by three
21 (3) years of supervised release.

22 The conditions of supervised release included the requirements that the defendant
23 comply with all local, state, and federal laws, and with the standard conditions. Special
24 conditions imposed included, but were not limited to, participation in substance abuse and
25 mental health programs, financial disclosure, submit to search, sex offender treatment, no
26 unsupervised contact with minors, submit to polygraph testing, follow lifestyle restrictions,

no internet, shall not possess pornography, shall allow probation officer to inspect computer, notify probation officer of all computer software, prohibited from incurring new debt, and shall register as a sex offender.

In a Petition for Warrant or Summons, dated January 5, 2009, U.S. Probation Officer Andrea G. Porter asserted the following violation by defendant of the conditions of his supervised release:


- (1) Possessing and/or using pornographic material in or about September and October 2008, in violation of special condition number 12.

The defendant was advised of his rights, acknowledged those rights, and admitted to the alleged violation 1.

I therefore recommend that the Court find the defendant to have violated the terms and conditions of his supervised release as to violation number 1, and that the Court conduct a hearing limited to disposition. A disposition hearing on violation number 1 has been set before the Honorable Thomas S. Zilly on February 24, 2009 at 1:30 p.m.

Pending a final determination by the Court, the defendant has been released, subject to supervision.

DATED this 4th day of February, 2009.


JAMES P. DONOHUE
United States Magistrate Judge

cc:	District Judge:	Honorable Thomas S. Zilly
	AUSA:	Ms. Annette Hayes
	Defendant's attorney:	Ms. Carol A. Koller
	Probation officer:	Ms. Andrea G. Porter